

CBSC STAFF REPORT

2004 Annual Cycle Monograph Item 12

PROPOSING STATE AGENCY:

Office of Statewide Health Planning and Development (OSHPD 04/04)

APPLICATION AFFECTED:

Hospital buildings, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers

SUBJECT:

Adopt the most recent edition of the model code in effect at the submittal of the 2004 Annual Cycle, the 2003 Uniform Mechanical Code (UMC) as Part 4, California Mechanical Code (CMC), and repeal the 2000 UMC:

- Amend scoping in Chapter 1 for skilled nursing facilities as distinct part units within hospitals and as freestanding buildings
- Modify requirements for essential mechanical provisions for licensed surgical clinics
- Increase allowable size of toilet rooms receiving air from fire resistive corridors.
- Clarify installation requirements of dry-stream type humidifiers relative to filter banks.

FINDINGS:

CBSC Code Advisory Committee Comments/Recommendations

CBSC's Plumbing, Electrical, Mechanical, and Energy (PEME CAC) recommended approve as submitted and resubmitted.

(See pages 3-27 through 3-46 of the May, 2005 Code Change Monograph, Volume III.)

Public Comment & Agency Response to Comments:

Sub-item 12-3: Commenter #1 is Kurt R. Schaefer, representing OSHPD. Mr. Schaefer proposes to add scoping language "(surgical clinics only)" to the application for OSHPD 3 to clarify that the listed essential mechanical provisions do not apply to non-surgical clinics, based on Criterion 6. This modification would prevent onerous and unnecessary requirements for clinics not licensed for surgery. (See page 89 of the October, 2005 Public Comment Monograph.)

Response by Agency: OSHPD proposes to accommodate the comment by adding the suggested language to its final Express Terms. (See page 3 of the Final Statement of Reasons, which follows this report.)

Staff Findings

OSHPD's submittal appears to be compliant with the Administrative Procedure Act and Building Standards Law, although their repetition of previously-submitted information in the Updated Informative Digest and Final Statement of Reasons is confusing. In their updates, the agency could have stated that there was no change.

COMMISSION ACTION:

For efficiency, staff recommends that the Commission act on the uncontested sub-items listed on the matrix in one motion, and act on the remaining sub-item individually.

The Commission may take any one of the following actions on these sub-items, then act on Item 12 as a whole:

- ❖ **Approve**
- ❖ **Disapprove**
- ❖ **Approve as Amend**
- ❖ **Further Study**